

## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 07 2006

Applicants : Theresa A. Deisher, Darrell C. Conklin, Fenella Raymond, Thomas R.  
Bukowski, Susan D. Holderman, Paul O. Sheppard

Application No. : 10/081,347

Filed : February 21, 2002

For : NOVEL FGF HOMOLOGS

Examiner : Saoud, C.

Art Unit : 1647

Docket No. : 96-20C5

Date : April 7, 2006

Attn: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply the Office Communication advising the applicants of a non-responsive reply mailed on September 23, 2005. It is unclear if this Communication set a date for response, as the Communication indicated that "The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application."

It is unclear if the date of abandonment of this application is one month from the Communication (October 23, 2005), or if the abandonment date is September 23, 2005, the date of the reply as filed.

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PETITION FOR REVIVAL  
Application Serial No.: 10/081,347

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Applicant hereby petitions for revival of this application. For this purpose, Applicant is enclosing a Response to Official Communication regarding non-responsive amendment mailed September 23, 2005.

Since this application was filed on or after June 8, 1995 no terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. An error in due date calculation caused incorrect docketing and unintentional abandonment of this application.

Petition Fee: Please charge the required fee, estimated to be 1,500.00, under 37 CFR § 1.17(m), to Deposit Account Number 26-0290. A duplicate of this paper is enclosed.

Respectfully Submitted,



Michelle L. Lewis  
Registration No. 36,352

Enclosure:

Response to Official Communication (8 pages)